

"Approved by the City Council/Redevelopment Agency Board on February 8, 2006."

**CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF THE REGULAR MEETING**

**WESTMINSTER, CALIFORNIA
January 25, 2006**

The City Council/Agency Board of the City of Westminster, California convened on January 25, 2006 at 6:00 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

**6:00 P.M.
CLOSED SESSION**

CALL TO ORDER:

ROLL CALL

PRESENT: RICE, FRY, MARSH, QUACH (arrived at 6:05 p.m.)
ABSENT: PARIS

CLOSED SESSION:

The City Council/Redevelopment Agency recessed to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation: Pam Steele vs. City of Westminster (Workers' Compensation); and
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case); re issues raised by HUD regarding CDBG funding.

URGENT ITEM ADDED TO CLOSED SESSION:

There was a unanimous motion to bring the following item of an urgent nature onto the agenda for Closed Session, which arose subsequent to the posting of the agenda and requires immediate action, as follows:

- 3) Conference with Legal Counsel pursuant to Government Code Section 54956.9; Existing Litigation, Janice and John Foley vs. City of Westminster

RECESS: At 6:58 p.m., Mayor/Agency Chair Rice recessed from the meeting held in the Council Conference Room.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING: The City Council/Redevelopment Agency Meeting was reconvened at 7:08 p.m. in the Council Chambers.

ROLL CALL:

PRESENT: RICE, FRY, MARSH, QUACH
ABSENT: PARIS

SALUTE TO FLAG: Council Member Quach

INVOCATION: Council Member Marsh

REPORT OUT OF CLOSED SESSION:

The City Attorney stated there was nothing to report out of Closed Session

SPECIAL PRESENTATIONS:

- A. Presentation on the SR-22 Landscape Master Plan - Rick Grebner, OCTA Program Manager, Bob Hosler; Landscape Architect, Parsons; and Michael Aceves, Project Manager with Tatsumi and Partners, Incorporated, gave a brief presentation to the Mayor and City Council.
- B. Chamber of Commerce – Report on Upcoming Events - Frances Nguyen, Member of Chamber of Commerce Board of Directors, and owner of Golden Trophy and Awards, presented the update on upcoming Chamber events.
- C. Shirl Stewart, Treasurer of the Westminster Rose Center Foundation, presented a check for \$106,022 to the City for the Westminster Rose Center.

1. CONSENT CALENDAR**ROUTINE MATTERS****(REMOVED AND HEARD SEPARATELY)**

- 1.1 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

Council Member Marsh stated that if there are no ordinances or resolutions are listed on the agenda, the agenda should indicate that there are none.

Motion was made by Council/Agency Member Marsh, and seconded by Council/Agency Member Quach, to approve this item, designating that there are no ordinances or resolutions under consideration on the agenda. The motion carried by a 4-0 vote.

- 1.2 Amendment No. 1 to Agreement for Design Services of Raised Landscaped Medians Along Westminster Boulevard from Newland Street to Magnolia Street (502-14)**

ACTION: The Mayor and City Council approved Amendment No. 1 to the subject agreement with Norris-Repke for the design of raised medians along Westminster Boulevard from Magnolia Street to Bushard Street in an amount not to exceed \$65,950, and authorized the City Manager to execute the amendment on behalf of the City.

1.3 Increase to Purchase Order for Wet Barrel Hydrant Heads & Accessories for FY 2005-06 (106-00)

ACTION: The Mayor and City Council approved an increase to the purchase order with Hughes Supply dba Marden Susco for wet barrel hydrant heads and accessories in the amount of \$15,014 for FY 2005-06.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.4 Ordinance No. 2392 - An Ordinance of the Mayor and City Council of the City of Westminster amending Chapter 12.16 (Obstructions) of Title 12 of the Westminster Municipal Code relating to trash container requirements (209-05)

ACTION: The Mayor and City Council adopted Ordinance No. 2392 and waived further reading.

1.5 Ordinance No. 2393 - An Ordinance of the Mayor and City Council of the City of Westminster amending Section 10.44.200 of the Westminster Municipal Code to remove any reference to Sundays, Holidays, and Time of Day for Two-Hour Parking Restrictions (608-02)

ACTION: The Mayor and City Council adopted Ordinance No. 2393 and waived further reading.

WARRANT REGISTER

1.6 (City Council/Redevelopment Agency) Warrant Register dated January 4 through 17, 2006 (105-09)

ACTION: Approved.

INFORMATION AND REPORTS

1.7 Minutes of the Planning Commission Meeting held December 7, 2005 (104-11)

ACTION: Received and filed.

1.8 Treasurer's Report – December 2005 (105-08)

ACTION: Received and filed.

1.9 Community Development Monthly Activity Report – December 2005 (216-01)

ACTION: Received and filed.

Motion was made by Mayor Pro Tem/Agency Vice Chair Fry, and seconded by Council/Agency Member Quach, to approve the Consent Calendar, with the exception of Item No. 1.1 which was removed for separate consideration. The motion was carried by a 4-0 vote, with Council/Agency Member Paris absent.

END OF CONSENT CALENDAR**2. ORAL COMMUNICATIONS**

Phil Hodgetts, resident of Westminster and former member of the Energy Committee, spoke regarding new bills that have been passed offering new incentives for self-generating energy. Mr. Hodgetts announced that he and Council Member Marsh will be attending the grand opening of the Tiger Woods Learning Center.

Darrell Nolta, resident of Westminster, spoke regarding the Orange County Board of Supervisors meeting that he attended at which an ordinance was repealed that would prevent the Orange County Sheriff from enforcing traffic laws in Midway City. Mr. Nolta believes that the Westminster Police Department should be paid for police services provided to Midway City. He referenced an article in the *Orange County Register* entitled, "Traffic Enforcement Added to the Sheriff Deputies Duties".

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

The Interim Planning Manager reviewed the actions of the Planning Commission meeting of January 18, 2005:

- 1) Case 2005-58 at 14072 Goldenwest Street. The project consists of the development of two detached condominium residential units.
- 2) Case 2005-65 at 9972 Bolsa Avenue (Little Saigon Center). The project is a variance request for a third wall sign and to exceed the maximum permitted sign area.

Council Member Marsh and Mayor Rice requested that Item No. 3(1) be called up for review. Council Member Marsh stated that he recalled a number of findings that were related to this issue. Mayor Rice concurred with Council Member Marsh.

Motion was made by Council Member Quach, seconded by Council Member Marsh to receive and file Item No. 3(2). The motion carried by a 4-0 vote.

4. PUBLIC HEARINGS – None

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Quach wished everyone a Happy Lunar New Year, and invited everyone to attend the Tet Festival in the City of Garden Grove, and the many small festivals in the Bolsa Corridor.

Council Member Marsh wished everyone a Happy Lunar New Year. He reported on his attendance at the first meeting of the Measure M Super Committee, noting that the Committee appeared to be an advocacy group to support Measure M, rather than to consider what might be desirable to put into Measure M.

5.2 Waiver of Rental Fees/Community Services Building
(Council Member Quach) (702-06)

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Marsh, to waive the fees for the use of the Community Services Building East/West Rooms on Friday, February 3, 2006 from 5:00 p.m. to 10:00 p.m. for a meeting and celebration. The motion carried by a 4-0 vote.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Potential Establishment of Sister City (103-14)

Tami Piscotty, Assistant to the City Manager, presented the report. The Mayor and Council Members commented on the well-prepared, detailed report that Ms. Piscotty presented.

Council Member Marsh commented that he feels that the City should maintain the existence of the non-profit corporation at \$20 a year, and that separate corporations should not be needed if multiple sister cities are established. He does not support joining Sister Cities International, as it is generally for cities that do not have contact with countries that they are interested in developing communications with. The City of Westminster already has contacts with different groups and cities throughout the world, i.e. the Republic of China, South Korea, Thailand, Japan and the Philippines. He supports exploring countries that would be of interest to the people in our City, but does not want to spend a lot of money on it. He supports authorizing members to begin communications, as long as no one makes the misrepresentation that they have the authority to do anything like this. Council Member Marsh expressed opposition to the City paying expenses for staff or Council Members going on foreign travel, but does not have a problem with the City making the travel arrangements. Mayor Rice

and Council Member Quach concurred with Council Member Marsh. Mayor Pro Tem Fry said he is glad the City is pursuing the establishment of a Sister City.

Motion was made by Council Member Marsh, and seconded by Council Member Quach, to establish a committee to look into Sister City relationships, with Council Member Quach to serve as Chair and Mayor Pro Tem Fry to serve as Vice Chair. Staff to be utilized and persons to serve on the committee added, as necessary. The motion carried by a 4-0 vote.

6.2 Proposed New Job Classification of Senior Center Supervisor (110-04)

Council Member Marsh expressed concern with the staff restructuring several components of the Community Services Department. He referenced the current and proposed organizational charts attached to the staff report, stating that changes to the organizational structure is not what is being proposed for approval at this meeting. He does not like changes to the organization being snuck through under the radar. He expressed concern that under the proposed structure, the Assistant Community Services Director is being shunted to the side, and nothing in the staff report addresses the reason for it. Council Member Marsh reiterated that he will not be voting on, nor will he approve, the proposed changes, other than the change of the Senior Center Coordinator to the Senior Center Supervisor. Additionally, he stated that the staff report should have included recognition in a reduction in the amount of savings from the reorganization approved five months ago.

Mayor Rice commented that staff had no intention of sneaking anything through. Further, she said that any proposed changes to the organizational structure will be brought back for Council's consideration.

The City Manager commented that the Director of Community Services is an excellent department head. The seniors had expressed reticence about bringing forth a department head, and since he has been on board with the City, very positive feedback has been received on his interaction with seniors. He has been outstanding, and is not concealing information before the Council. She said that information will be provided on the organizational chart and on the Assistant Director of Community Services position itself, and that she would be happy to discuss personnel issues in closed session.

Motion was made Council Member Quach, and seconded by Mayor Rice, to

- 1) Approve the new job classification of Senior Center Supervisor;
- 2) Approve a salary range of \$3,876 - \$4,947 per month; and
- 3) Appropriate \$2,352 from the General Fund Contingency Account (Account No. 20000-60904) to the Senior Center Permanent Salaries budget (Account No. 70500-40000).

The motion carried by a 4-0 vote.

6.3 Select Date and Time for a Study Session to Review the 2005-06 Mid-Year Budget

The Mayor and Council Member selected Monday, March 27, 2006 at 6 p.m. as the date and time to review the Mid-Year Budget for 2005-06.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS – None

9. COMMISSION AND COMMITTEE ITEMS

9.1 Request for Timed Parking Restrictions on Bishop Place between Magnolia Street and Bushard Street, Moran Street between Bolsa Avenue and Bishop Place, and Weststate Street between Bolsa Avenue and Bishop Place – T.C. 89-106 (608-02)

The Director of Public Works/City Engineer stated that this item was brought forward as a result of complaints that had been received about a lot of cars parking on Moran Street, as a result of bus trips to Las Vegas and other destinations.

Motion was made by Council Member Quach, seconded by Council Member Marsh to approve the recommendation of the Traffic Commission to adopt Resolution No. 3971 entitled, "A Resolution of the Mayor and City Council providing for timed parking restrictions on Bishop Place between Magnolia Street and Bushard Street, Moran Street between Bolsa Avenue and Bishop Place, and Weststate Street between Bolsa Avenue and Bishop Place", and waive further reading. The motion carried by the following vote:

AYES: RICE, FRY, MARSH, QUACH
NOES: NONE
ABSENT: PARIS

9.2 Initiation of a Possible Zone Text Amendment to Limit the Size of New Single-Family Houses and Remodels (202-01)

The Interim Planning Manager said that it was the observation of the Planning Commission that larger homes are being built in areas where the predominant homes are smaller. Their concern is that the newer homes are not compatible with existing homes.

Council Member Marsh expressed concern with lot coverage, and said that he would not mind exploring this further.

Mayor Rice concurred with Council Member Marsh's concern with lot coverage.

In response to Council Member Quach, the Interim Planning Manager responded that the current lot coverage is 40%. A variance is required if the lot coverage requirements are exceeded, as long as the variance is justified. Variances are brought before the Planning Commission for approval.

Council Member Quach said there seems to be a good process in place. He noted that Council could call up for review a variance request that went before the Planning Commission.

Council Member Marsh said he would be willing at some time to explore a maximum cap on a variance.

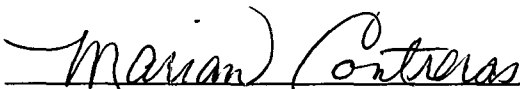
Motion was made by Council Member Quach, and seconded by Council Member Marsh to take no action on the Planning Commission's request that the Mayor and City Council initiate a zone text amendment to develop standards that will limit the size of single-family house remodels and the size of new single-family houses in order to maintain existing neighborhood scale and character. The motion carried by a 4-0 vote.

9.3 Appointments to Ad Hoc Water Rate Structure Committee (Mayor Pro Tem Fry and Council Member Paris appointees) (104-31)

Mayor Pro Tem Fry nominated Chuck Smith to serve as his appointee to the Ad Hoc Water Rate Structure Committee.

Motion was made by Mayor Pro Tem Fry, seconded by Council Member Marsh, to appoint Chuck Smith to the Ad Hoc Water Rate Structure Committee. The motion carried by a 4-0 vote.

10. COUNCIL/AGENCY ADJOURNMENT: At 8:35 p.m., to Monday, February 6, 2006 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California to hear presentations from nonprofit agencies and City departments applying for FY 2006-07 HOME/CDBG funds.


Marian Contreras, City Clerk/Agency Secretary